

Motion – Water

Following the major emergency declared on the Isle of Sheppey on the 13th July 2022, resulting from the loss of water supply islandwide, and similar incidents in January 2016 and September 2017, this council resolves;

For the Leader of the Council to make a formal complaint to the Water Services Regulation Authority (Ofwat) over the recent outage of water supply on Sheppey , covering both their handling of the emergency , and their failure to act to improve resilience of supply following the 2016 and 2017 outages

The Leader of the Council is asked to write to the CEO of Southern Water to notify them of this decision. A copy of this complaint should also be issued to the MP for Sittingbourne and Sheppey and the Secretary of State at the Department for Environment, Food and Rural Affairs.

This failure of supply has been followed by residents of Dunkirk being without supply , and now a hosepipe ban, and while less severe in their impact , these have also revealed the inadequacy of investment in the supply . It is acknowledged that this year has been one of the driest on record , both increasing demand , and increasing leakage due to abnormal ground movements . However , records for weather extremes are being broken with alarming regularity as the climate changes . The National Audit Office report 2020 on water supply and demand management concluded that parts of the South-East are at risk of running out of water unless concerted action is taken .

Despite this , Swale is being asked to make allocations for increased housing numbers in the local plan review , which can only increase demand, but there is a presumption that the statutory undertakers and utilities providers will be able to provide whatever infrastructure is required , at whatever cost to the water bill payers , to meet the housing numbers .

In view of this :

The leader of the council is asked to write to the Secretary of State for Levelling Up, Housing and Communities, asking him to review the legislation concerning the role of the statutory undertakers and utilities providers, in the local plan making process, to require them to give evidence at the public examination of the local plan of their ability to meet their obligations with regard to supplying proposed housing development, taking full account of the effect of climate change scenarios.

The Planning and Transportation Policy Working Group is asked to consider commissioning an independent study into the sustainability of water supply to form part of the Infrastructure Delivery Plan for the Local Plan Review

Furthermore, the council notes that residents are deeply concerned about the regular untreated wastewater discharges into our local rivers, estuaries and seas and the cumulative impact this is having on wildlife and on human health.

This wastewater, or sewage, not only comprises of human waste, which contains poisonous E-Coli bacteria and organic nitrogen, but also carries harmful levels of chemicals such as nitrates and phosphates, typically from domestic cleaning products.

Rivers in England are in a terrible state. Chemical health is classified as bad for all of them, and only 14% have a good ecological status. Beyond rivers, only 16% of waterways (rivers, lakes and streams) were classed as in ecological good health in 2020.

Farming and wastewater are the biggest offenders. Agriculture practices impacts nearly two thirds of rivers in England. Over half are also impacted by the water sector, mainly by sewage effluent. In 2021 data from the water companies themselves revealed that they had discharged untreated water containing raw sewage 375,000 times into English waterways.

Releasing sewage into rivers and seas is no longer an emergency only situation occurring as a result of severe storms, but an everyday occurrence even in 'normal' rainfall . In July 2021 Southern Water was fined £90m for illegally dumping between 16 and 19 billion litres of raw sewage into waterways and coastal areas of Kent, West Sussex and Hampshire. They pleaded guilty to 51 counts of dumping poisonous, noxious substances including raw sewage, after a criminal investigation.

Untreated sewage has a negative impact on human health and biodiversity. The 2020 'Kent State of the Environment' report identified just 11 out of 124 water bodies across the county met 'good' ecological status.

And here in The Swale, raw sewage discharges are increasing. From 172 spills and 358 hours of raw sewage discharges in 2019, to 286 spills and 1,190 hours of discharges in 2020 to the situation in 2021 where Southern Water reported 334 spills totalling 1,698 hours of raw sewage discharges across Sittingbourne, Sheppey and Faversham. That's almost double the number of spills and well over a fourfold increase in discharge duration in just 3 years.

This Council therefore resolves to:

1. Recognise this Council's obligation to protect its rivers, estuaries and seas, including from the cumulative impacts of pollution, in line with its local planning policy and the National Planning Policy Framework.
2. Recognise that there is clear evidence of deterioration of water quality due to cumulative impact of multiple sewage discharge events or 'sewage overload'.
3. Ensure that an evidence base is compiled that assesses the cumulative impact of sewage discharge so that this is factored into decisions made in new iterations of the local plan, including the overall level of future development, if necessary independently from the evidence produced by the utility providers

4. Seek to better understand the cumulative impact of wastewater discharge including untreated sewage on our local rivers, estuaries, wildlife and the health of our residents.
5. To take a lead on addressing this issue, working constructively with other agencies.
6. Ask the Policy and Resources Committee to invite the Chief Executive of Southern Water plus senior representatives from the Environment Agency and Ofwat and Natural England to attend a meeting to answer questions on the current levels of CSO and sewage plant discharge, and to put pressure on Southern Water to stop all CSO discharges into chalk streams in and around Faversham (Cooksditch and Thorne Creek); asking why nutrient neutrality rules aren't deemed to apply to water flowing from Faversham Creek into the Swale; and encouraging SW to upgrade the Faversham WTW to include tertiary water treatment so that it can either be recycled into the SEW water supply or else pumped back into the aquifer.
7. Ask Southern Water, from this date onwards, in its planning consultation responses for major development, to clarify which treatment works will be managing the sewage; whether it has the information available to assess the impact on the number or duration of sewage discharges into local rivers or seas, and if it does have this information to share it (noting that at present this can only be requested not required).
8. Request that planning officers, from now onwards, include in all reports relating to major development a specific section on the impact on watercourses, including the potential for the development to affect sewage outflow into watercourses (i.e. cumulative impact), or to flag if this information is not fully available, so that this information (or the lack of it) is clearly and transparently set out.
9. The leader of the council is asked to write to the Secretary of State for Levelling Up, Housing and Communities, asking him to review the legislation concerning the role of the statutory undertakers and utilities providers, in the local plan making process, to require them to give evidence at the public examination of the local plan of their ability to meet their obligations to safely dispose of sewage from proposed housing development.

The leader of the council is further asked to request the Secretary of State for Levelling Up, Housing and Communities to review the legislation concerning local plan reviews , so that in the event that the statutory undertakers and utilities providers are unable to provide adequate evidence that both supply of water , and effective wastewater treatment , are deliverable , this would be grounds for a deviation from the standard.

Proposed: Councillor Alastair Gould
Seconded: Councillor Lee McCall